

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Alliance Global Networks, LLC) File No.: EB-IHD-21-00032429
) NAL Account No.: 202232080004
) FRN: 0018250241

NOTICE OF APPARENT LIABILITY FOR FORFEITURE

Adopted: March 3, 2022

Released: March 3, 2022

By the Acting Chief, Enforcement Bureau:

I. INTRODUCTION

1. In this Notice of Apparent Liability for Forfeiture (NAL), we find that Alliance Global Networks, LLC (Alliance), apparently violated section 214 of the Communications Act of 1934, as amended (the “Act”)¹ and sections 63.03, 63.04, and 63.24 of the Commission’s rules by willfully or repeatedly failing to obtain the Commission’s approval prior to the sale of all of the membership interests in Alliance to Velocity, A Managed Services Company, Inc. (Velocity).² Based on our review of the facts and circumstances surrounding this matter, and for the reasons discussed below, we find that Alliance is apparently liable for a total forfeiture of \$16,000.

II. BACKGROUND

2. Section 214(a) of the of the Act requires telecommunications carriers to obtain a certificate of public convenience and necessity from the Federal Communications Commission (Commission or FCC) before constructing, extending, acquiring, or operating any line, or engaging in transmission over that line.³ Carriers also must obtain a certificate from the Commission before discontinuing, reducing or impairing service to a community.⁴ The Commission granted all domestic carriers blanket authority under section 214 to provide domestic interstate services and construct, acquire, and operate any domestic transmission line.⁵ However, section 63.03 of the Commission’s rules still requires that any domestic carrier seeking to transfer control of its lines or authorization to operate under section 214 of the Act resulting from an acquisition of corporate control must obtain prior approval from

¹ 47 U.S.C. § 214.
² 47 CFR §§ 63.03, 63.04, 63.24.
³ 47 U.S.C. § 214(a).
⁴ *Id.*

⁵ 47 CFR § 63.01; *See Implementation of Section 402(b)(2)(A) of the Telecommunications Act of 1996; Petition for Forbearance of the Independent Telephone & Telecommunications Alliance*, Report and Order and Second Memorandum Opinion and Order, 14 FCC Rcd 11364 (1999) (*1999 Streamlining Order*).

the Commission.⁶ Section 63.04 sets forth the requirements for domestic transfer of control applications.⁷

3. While the Commission has granted blanket section 214 authority to carriers of domestic services, meaning that such carriers need not apply to the Commission for such authority before providing domestic service, it has not done so for providers of international telecommunications services.⁸ In accordance with section 63.18 of the Commission's rules, any carrier that seeks section 214 authority to provide common carrier services between the United States and a foreign point, must request such authority by application to the International Bureau.⁹ Through this process, the applicant provides the Commission with, among other things, contact information, ownership information, information on any affiliations it may have with foreign carriers, certification that it will comply with Commission rules, and certification that the applicant is not subject to denial of federal benefits pursuant to the Anti-Drug Abuse Act of 1988.¹⁰ A carrier may apply for Special Temporary Authority (STA) relating to temporary or emergency services under a section 214 authorization pursuant to section 63.25 of the Commission's rules.¹¹ Under section 63.24 of the Commission's rules, control of an international section 214 authorization, other than a *pro forma* transfer of control, may be transferred to another party only by application and prior Commission approval.¹²

4. Alliance is a Delaware limited liability company with headquarters in Connecticut.¹³ Alliance provides data and voice telecommunications services on a wholesale basis in 42 jurisdictions of the United States.¹⁴ Its wholesale based services include long distance service, toll free services, and

⁶ 47 CFR § 63.03; *See Implementation of Further Streamlining Measures for Domestic Section 214 Authorizations*, Report and Order, 17 FCC Rcd 5517, 5521, para. 5 (2002) (*2002 Streamlining Order*).

⁷ 47 CFR § 63.04.

⁸ *Implementation of Section 402(b)(2)(A) of the Telecomm. Act of 1996*, Report and Order in CC Docket No. 97-11, Second Memorandum Opinion & Order in AAD File No. 98-43, 14 FCC Rcd 11364, para. 2 & note 8 (1999) (grant of blanket authority is only for domestic interstate services and does not extend to the provision of international services).

⁹ *See* 47 CFR §§ 63.04, 63.18. The Commission has explained that the International Section 214 review process enables the Commission to review applications for risks to competition, particularly in situations where the applicant has an affiliation with a foreign carrier with market power on the foreign end of the route that may be able to leverage that market power to discriminate against U.S. competitors to the detriment of U.S. consumers. *Rules and Policies on Foreign Participation in the U.S. Telecommunications Market*, IB Docket 97-142, 95-22, Report and Order and Order on Reconsideration, FCC 97-398, 12 FCC Rcd 23891 (1997) ("*Foreign Participation Order*"); Order on Reconsideration, FCC 00-339, 15 FCC Rcd 18158 (2000). The Commission also considers national security, law enforcement, foreign policy and trade policy concerns in its public interest review of an application and will seek input from the Executive Branch on these issues. *Id.* at 23918-21, paras. 61-66. *See also Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership*, IB Docket 16-155, Report and Order, 35 FCC Rcd 10927 (2020).

¹⁰ *See* 47 CFR § 63.18.

¹¹ 47 CFR § 63.25.

¹² 47 CFR § 63.24(a). A *pro forma* transfer of control does not require Commission approval, but the carrier is required to notify the Commission of the transfer within 30 days of the transfer. 47 CFR §§ 63.24(d), (f).

¹³ Response to Letter of Inquiry, from Alliance Global Networks, LLC, to Jeffrey J. Gee, Chief, Investigations and Hearings Division, FCC Enforcement Bureau, at 3, Response to Question 1; Exhibit 2b, Response to Question 9 (July 23, 2021) (on file in EB-IHD-21-00032429) (LOI Response).

¹⁴ Response to Letter of Inquiry, from Alliance Global Networks, LLC, to Jeffrey J. Gee, Chief, Investigations and Hearings Division, FCC Enforcement Bureau, at 3, Response to Question 4 (July 23, 2021) (on file in EB-IHD-21-00032429) (LOI Response).

managed internet solutions.¹⁵ On December 19, 2008, the International Bureau granted Alliance authority to provide global or limited global resale services.¹⁶

5. Alliance was wholly owned by an individual, Jess DiPasquale.¹⁷ On January 1, 2020, Mr. DiPasquale transferred 100% of the membership interests in Alliance to Velocity, a Delaware corporation, including control of Alliance's domestic and international section 214 authorizations.¹⁸ Alliance did not obtain prior Commission approval for this transfer of control. Nearly fifteen months later, on March 16, 2021, Alliance and Velocity submitted a joint application for the transfer of control and STA with the International Bureau and Wireline Competition Bureau.¹⁹ On March 24, 2021, the Wireline Competition Bureau granted the request for STA to allow Velocity to provide domestic service for a period of 60 days, and on April 7, 2021, the International Bureau granted the request for STA to allow Velocity to provide international service.²⁰ On April 23, 2021, the International Bureau granted the application for an international section 214 authorization, and on April 25, 2021, the Wireline Competition Bureau granted the application for a domestic section 214 authorization.²¹ Pursuant to a membership interest purchase agreement between Jess DiPasquale and Velocity, all of the membership interests of Alliance were transferred to Velocity on January 1, 2020.²²

6. In light of the foregoing circumstances, the Commission's Enforcement Bureau (Bureau) issued a letter of inquiry (LOI), initiating an investigation into whether Alliance may have violated section 214 of the Act and the Commission's rules pertaining to the ownership and operation of domestic and international telecommunications service.²³ Alliance responded to the LOI on July 22, 2021.²⁴

¹⁵ *Id.*

¹⁶ *International Authorizations Granted*, Public Notice, 24 FCC Rcd 16, Rep. No. TEL-01335 (IB 2009) (*International 214 Grant PN*); see also Alliance Global networks, LLC Application for International Section 214 Authorization, ITC-214-20081204-00524 (filed Dec. 1, 2008).

¹⁷ Joint Application for Consent to Transfer Control of a Company Holding International Section 214 Authority and Blanket Domestic Section 214 Authority Pursuant to the Communications Act of 1934, as Amended, WC Docket No. 21-96, at Exh. B (filed Mar. 16, 2021) (Joint Application).

¹⁸ Joint Application at 1. On March 22, 2021, Alliance submitted an amended STA. Alliance Global Networks, LLC and Velocity, A Managed Services Company, Inc. Request for Special Temporary Authorization, WC Docket No. 21-96 (filed Mar. 22, 2021).

¹⁹ See Joint Application.

²⁰ *Domestic Section 214 Application Filed for the Transfer of Control of Alliance Global Networks, LLC to Velocity, A Managed Services Company, Inc.*, Public Notice, 36 FCC Rcd 5756, at note 1 (WCB 2021); *Streamlined International Applications Accepted for Filing*, Public Notice, Report No. TEL-02087S, at 2 (IB 2021).

²¹ *International Authorizations Granted*, Public Notice, 36 FCC Rcd 7602 (IB, 2021) (*International Grant 214 PN*); *Notice of Domestic Section 214 Authorization Granted*, Public Notice, 36 FCC Rcd 7538 (WCB 2021) (*Domestic Grant 214 PN*). Both grants were without prejudice to enforcement action for non-compliance with the Act or the Commission's rules. *International Grant PN*, 36 FCC Rcd 7603; *Domestic Grant 214 PN*, 36 FCC Rcd 7538 at note 1.

²² Joint Application at 1.

²³ Letter of Inquiry from Jeffrey J. Gee, Chief, Investigations and Hearings Division, FCC Enforcement Bureau, to Alliance Global Networks, LLC (June 25, 2021) (on file in EB-IHD-21-00032429) (LOI).

²⁴ Response to Letter of Inquiry, from Alliance Global Networks, LLC, to Jeffrey J. Gee, Chief, Investigations and Hearings Division, FCC Enforcement Bureau (July 23, 2021) (on file in EB-IHD-21-00032429) (LOI Response).

III. DISCUSSION

7. Under section 503(b)(1) of the Act, any person who is determined by the Commission to have willfully or repeatedly failed to comply with any provision of the Act or any rule, regulation, or order issued by the Commission shall be liable to the United States for a forfeiture penalty.²⁵ Section 312(f)(1) of the Act defines willful as “the conscious and deliberate commission or omission of [any] act, irrespective of any intent to violate” the law.²⁶ The legislative history of section 312(f)(1) of the Act clarifies that this definition applies to both sections 312 and 503(b) of the Act²⁷ and the Commission has so interpreted the term in the section 503(b) context.²⁸ The Commission may also assess a forfeiture for violations that are merely repeated, and not willful.²⁹ “Repeated” means that the act was committed or omitted more than once, or lasts more than one day.³⁰ To impose such a forfeiture penalty, the Commission must issue a notice of apparent liability and the person against whom the notice has been issued must have an opportunity to show, in writing, why no such forfeiture penalty should be imposed.³¹ The Commission will then issue a forfeiture if it finds by a preponderance of the evidence that the person has violated the Act or a Commission rule.³²

A. Alliance Apparently Violated Section 214 of the Act and Sections 63.03, 63.04 and 63.24 of the Commission’s Rules

8. The Commission’s rules require telecommunications carriers who hold a section 214 authorization to obtain Commission approval prior to any substantial transfer of control.³³ When a telecommunications provider does not notify the Commission of a substantial transfer of control, the Commission might not have a proper record of all carriers. Violations of these transfer of control notification requirements are significant because they impede the Commission’s ability to regulate telecommunications carriers by keeping track of ownership of authorizations, as well as ascertaining whether to refer the transaction that results in a transfer of control to the Executive Branch for further review to assess any national security, law enforcement, foreign policy, or trade policy concerns.

9. On January 1, 2020, Mr. DiPasquale transferred 100% of his membership interests in Alliance to Velocity, including Alliance’s domestic and international section 214 authorizations. As a result of the transaction, Alliance became a wholly owned subsidiary of Velocity.³⁴ It was not until March 16, 2021, almost fifteen months after the transaction took place, that Alliance and Velocity

²⁵ See 47 U.S.C. § 503(b)(1)(B); 47 CFR § 1.80(a)(1).

²⁶ 47 U.S.C. § 312(f)(1).

²⁷ H.R. Rep. No. 97-765, 97th Cong. 2d Sess. 51 (1982).

²⁸ See, e.g., *Application for Review of Southern California Broadcasting Co.*, Memorandum Opinion and Order, 6 FCC Rcd 4387, 4388, para. 5 (1991) (“*Southern California Broadcasting Co.*”).

²⁹ See, e.g., *Callais Cablevision, Inc., Grand Isle, Louisiana*, Notice of Apparent Liability for Monetary Forfeiture, 16 FCC Rcd 1359, 1362, para. 10 (2001) (“*Callais Cablevision, Inc.*”) (issuing a Notice of Apparent Liability for, *inter alia*, a cable television operator’s repeated signal leakage).

³⁰ 47 U.S.C. § 312(f)(2); see also *Southern California Broadcasting Co.*, 6 FCC Rcd at 4388, para. 5; *Callais Cablevision, Inc.*, 16 FCC Rcd at 1362, para. 9.

³¹ 47 U.S.C. § 503(b); 47 CFR § 1.80(g).

³² See, e.g., *SBC Communications, Inc.*, Forfeiture Order, 17 FCC Rcd 7589, 7591, para. 4 (2002) (forfeiture paid).

³³ 47 CFR § 63.03 (prescribing procedures domestic transfers of control); 47 CFR § 63.24 (prescribing procedures for transfers of control of international section 214 authorizations).

³⁴ Velocity is wholly owned by Platinum Holding Investments, LLC (Platinum Holdings), a Delaware limited liability company, which, in turn, is wholly owned by Gregory Kiley, a U.S. citizen. See Joint Application at 8.

submitted a joint application for the transfer of control and STA, notifying the Commission of the transaction.³⁵ The Wireline Competition Bureau granted the STA in March 2021, and the International Bureau granted the STA in April 2021.

10. Pursuant to sections 63.03 and 63.04 of the Commission's rules,³⁶ a domestic carrier seeking to transfer control of its 214 authorization must file a domestic transfer of control application prior to the transaction. Alliance did not submit an application and request for STA until almost fifteen months after the transaction between Mr. DiPasquale and Velocity. We therefore conclude that Alliance apparently violated section 214 of the Act and sections 63.03 and 63.04 of the Commission's rules by engaging in an unauthorized transfer of control of its domestic section 214 authorization.³⁷

11. Similarly, a carrier seeking to transfer control of its international 214 authorization must file a transfer of control application with the Commission prior to the transaction. Pursuant to section 63.24(c) of the Commission's rules,³⁸ a change from less than 50% ownership to 50% or more ownership shall always be considered a transfer of control, and pursuant to section 63.24(a) of the Commission's rules, such a transfer of an international 214 authorization requires prior Commission approval.³⁹ Section 63.18 of the Commission's rules specifies the contents of international section 214 applications that should be included in a joint application for transfer of control.⁴⁰ Given that an application and request for STA was not submitted until nearly fifteen months after completion of the transaction between Mr. DiPasquale and Velocity, we therefore conclude that Alliance apparently violated section 214 of the Act and section 63.24 of the Commission's rules by engaging in an unauthorized transfer of control of its international section 214 authorization.⁴¹

B. Proposed Forfeiture

12. Section 503(b)(1) of the Act authorizes the Commission to impose a forfeiture against any entity that "willfully or repeatedly fail[s] to comply substantially with the terms and conditions of any license, permit, certificate or other instrument or authorization issued by the Commission" as well as or against an entity that "willfully or repeatedly fail[s] to comply with any of the provisions of the [Act] or of any rule, regulation, or order issued by the Commission."⁴² In exercising the Commission's forfeiture authority, we must consider the "the nature, circumstances, extent and gravity of the violation, and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and such

³⁵ See *supra* para. 5 and note 19.

³⁶ 47 CFR §§ 63.03, 63.04.

³⁷ 47 U.S.C. § 214; 47 CFR §§ 63.03, 63.04; *WDT World Discount Telecommunications Co., Inc.*, Notice of Apparent Liability for Forfeiture and Admonishment, 31 FCC Rcd 12571 (EB 2016); *Stanacard, LLC*, Notice of Apparent Liability for Forfeiture, 28 FCC Rcd 82 (EB 2013).

³⁸ 47 CFR § 63.24(c).

³⁹ 47 CFR § 63.24(a). *Pro forma* transfers are an exception to the approval requirement; however, carriers subject to a *pro forma* transfer of control must notify the Commission within 30 days of the transaction. 47 CFR §§ 63.24(d), (f). The transfer of control from Alliance to Velocity was not *pro forma* because Mr. DiPasquale relinquished 100% of his membership interest in Alliance to Velocity. See 47 CFR § 63.24(c)-(d).

⁴⁰ 47 CFR § 63.18; see also 47 CFR § 63.04(b).

⁴¹ 47 U.S.C. § 214; 47 CFR § 63.24; *WDT World Discount Telecommunications Co., Inc.*, Notice of Apparent Liability for Forfeiture and Admonishment, 31 FCC Rcd 12571 (EB 2016); *Stanacard, LLC*, Notice of Apparent Liability for Forfeiture, 28 FCC Rcd 82 (EB 2013).

⁴² 47 U.S.C. § 503(b).

other matters as justice may require.”⁴³ In addition, the Commission has established forfeiture guidelines; they establish base penalties for certain violations and identify criteria that we consider when determining the appropriate penalty in any given case.⁴⁴ Under these guidelines, we may adjust a forfeiture upward for violations that are egregious, intentional, or repeated, or that cause substantial harm or generate substantial economic gain for the violator.⁴⁵

13. We conclude that Alliance apparently failed to timely obtain Commission authorization for its transfer of control to Velocity. Section 1.80(b) of the Commission’s rules establishes a base forfeiture of \$8,000 for an unauthorized substantial transfer of control.⁴⁶ We have discretion, however, to depart from these guidelines, taking into account the particular facts of each individual case.⁴⁷ Based on our discretion, and the totality of the facts in the record, we have determined to not adjust this amount upwards or downwards.

14. Here, Alliance failed to file an application and seek prior Commission approval before it sold all of its membership interests to Velocity, including its domestic and international section 214 authorizations, resulting in two apparent unauthorized transfers of control. Alliance’s apparent violations continued for nearly 15 months, from January 1, 2020, until Alliance received its domestic and international STAs in March and April of 2021. Accordingly, we propose a total base forfeiture of \$16,000: \$8,000 for the Company’s apparent unauthorized transfer of its domestic section 214 authorization⁴⁸ and \$8,000 for its apparent unauthorized transfer of its international section 214 authorization.⁴⁹

15. Therefore, after applying the Forfeiture Policy Statement, section 1.80 of the Commission’s rules, and the statutory factors, we propose the total base forfeiture of \$16,000,⁵⁰ for which Alliance is apparently liable.⁵¹

⁴³ 47 U.S.C. § 503(b)(2)(E).

⁴⁴ 47 CFR § 1.80(b)(10), Table 2 to Paragraph (B)(10).

⁴⁵ *Id.*

⁴⁶ 47 CFR § 1.80(b), Table 1 to Paragraph (B)(10); *see also* *WDT World Discount Telecommunications Co., Inc.*, Notice of Apparent Liability for Forfeiture and Admonishment, 31 FCC Rcd 12571, 12577, para. 17 (EB 2016).

⁴⁷ *The Commission’s Forfeiture Policy Statement and Amendment of Section 1.80 of the Rules to Incorporate the Forfeiture Guidelines*, Report and Order, 12 FCC Rcd 17087, 17098–99, para. 22 (1997) (noting that “[a]lthough we have adopted the base forfeiture amounts as guidelines to provide a measure of predictability to the forfeiture process, we retain our discretion to depart from the guidelines and issue forfeitures on a case-by-case basis, under our general forfeiture authority contained in Section 503 of the Act”) (*Forfeiture Policy Statement*), *recons. denied*, Memorandum Opinion and Order, 15 FCC Rcd 303 (1999).

⁴⁸ *See* 47 U.S.C. § 214(a); 47 CFR §§ 63.03, 63.04.

⁴⁹ *See* 47 U.S.C. § 214(a); 47 CFR § 63.24.

⁵⁰ 47 CFR § 1.80(b), Table 1 to Paragraph (B)(10); *see also* *WDT World Discount Telecommunications Co., Inc.*, Notice of Apparent Liability for Forfeiture and Admonishment, 31 FCC Rcd 12571, 12577, para. 17 (EB 2016) (“[S]ection 1.80 of the [Commission’s] [r]ules establishes a base forfeiture amount of \$8,000 for an unauthorized substantial transfer of control.”) (internal cites omitted).

⁵¹ Any entity that is a “Small Business Concern” as defined in the Small Business Act (Pub. L. 85-536, as amended) may avail itself of rights set forth in that Act, including rights set forth in 15 U.S.C. § 657, “Oversight of Regulatory Enforcement,” in addition to other rights set forth herein.

IV. CONCLUSION

16. We have determined that Alliance apparently willfully or repeatedly violated section 214 of the Act and sections 63.03, 63.04, and 63.24 of the Commission's rules. Accordingly, Alliance is apparently liable for a \$16,000 forfeiture.

V. ORDERING CLAUSES

17. Accordingly, **IT IS ORDERED** that, pursuant to section 503(b) of the Act and section 1.80 of the Commission's rules,⁵² Alliance Global Networks, LLC is **HEREBY NOTIFIED** of this **APPARENT LIABILITY FOR FORFEITURE** in the amount of sixteen thousand dollars (\$16,000) for apparently willfully and repeatedly violating section 214 of the Act and sections 63.03, 63.04, and 63.24 of the Commission's rules.⁵³

18. **IT IS FURTHER ORDERED** that, pursuant to section 1.80 of the Commission's rules,⁵⁴ within thirty (30) calendar days of the release date of this Notice of Apparent Liability for Forfeiture, Alliance Global Networks, LLC **SHALL PAY** the full amount of the proposed forfeiture or **SHALL FILE** a written statement seeking reduction or cancellation of the proposed forfeiture consistent with paragraph 21 below.

19. Alliance Global Networks, LLC, shall send electronic notification of payment to Victoria Randazzo, Enforcement Bureau, Federal Communications Commission, at Victoria.Randazzo@fcc.gov on the date said payment is made. Payment of the forfeiture must be made by credit card, ACH (Automated Clearing House) debit from a bank account, or by wire transfer using the Commission's Registration System (the Commission's FRN Management and Financial system).⁵⁵ The Commission no longer accepts forfeiture payments by check or money order. Below are instructions that payors should follow based on the form of payment selected.⁵⁶

- Payment by wire transfer must be made to ABA Number 021030004, receiving bank TREAS/NYC, and Account Number 27000001. A completed Form 159 must be faxed to the Federal Communications Commission at 202-418-2843 or e-mailed to RROGWireFaxes@fcc.gov on the same business day the wire transfer is initiated. Failure to provide all required information in Form 159 may result in payment not being recognized as having been received. When completing FCC Form 159, enter the Account Number in block number 23A (call sign/other ID), enter the letters "FORF" in block number 24A (payment type code), and enter in block number 11 the FRN(s) captioned above (Payor FRN).⁵⁷ For additional detail and wire transfer instructions, go to <https://www.fcc.gov/licensing-databases/fees/wire-transfer>.
- Payment by credit card must be made by using the Commission's Registration System (CORES) website at <https://apps.fcc.gov/cores/userLogin.do>. To pay by credit card, log-in using the FCC Username associated to the FRN captioned above. If payment must be split across FRNs, complete this process for each FRN. Next, select "Manage Existing FRNs | FRN Financial | Bills & Fees" from the CORES Menu, then select FRN Financial and the view/make payments option

⁵² 47 U.S.C. § 503(b); 47 CFR § 1.80.

⁵³ 47 U.S.C. § 214; 47 CFR §§ 63.03, 63.04, 63.24.

⁵⁴ 47 CFR § 1.80.

⁵⁵ Payments made using CORES do not require the submission of an FCC Form 159.

⁵⁶ For questions regarding payment procedures, please contact the Financial Operations Group Help Desk by phone at 1-877-480-3201 (option #6), or by e-mail at ARINQUIRIES@fcc.gov.

⁵⁷ Instructions for completing the form may be obtained at <http://www.fcc.gov/Forms/Form159/159.pdf>.

next to the FRN. Select the “Open Bills” tab and find the bill number associated with the NAL Acct. No. The bill number is the NAL Acct. No. with the first two digits excluded (e.g., NAL 1912345678 would be associated with FCC Bill Number 12345678). After selecting the bill for payment, choose the “Pay by Credit Card” option. Please note that there is a \$24,999.99 limit on credit card transactions.

- Payment by ACH must be made by using the Commission’s Registration System (CORES) website at <https://apps.fcc.gov/cores/userLogin.do>. To pay by ACH, log in using the FCC Username associated to the FRN captioned above. If payment must be split across FRNs, complete this process for each FRN. Next, select “Manage Existing FRNs | FRN Financial | Bills & Fees” on the CORES Menu, then select FRN Financial and the view/make payments option next to the FRN. Select the “Open Bills” tab and find the bill number associated with the NAL Acct. No. The bill number is the NAL Acct. No. with the first two digits excluded (e.g., NAL 1912345678 would be associated with FCC Bill Number 12345678). Finally, choose the “Pay from Bank Account” option. Please contact the appropriate financial institution to confirm the correct Routing Number and the correct account number from which payment will be made and verify with that financial institution that the designated account has authorization to accept ACH transactions.

20. Any request for making full payment over time under an installment plan should be sent to: Chief Financial Officer – Financial Operations, Federal Communications Commission, 45 L Street, NE, Washington, D.C. 20554.⁵⁸ If you have any questions regarding payment procedures, please contact the Financial Operations Group Help Desk by phone, 1-877-480-3201, or by e-mail, ARINQUIRES@fcc.gov.

21. The written statement seeking reduction or cancellation of the proposed forfeiture, if any, must include a detailed factual statement supported by appropriate documentation and affidavits pursuant to sections 1.16 and 1.80(g)(3) of the Commission’s rules.⁵⁹ The written statement must be mailed to Jeffrey J. Gee, Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 45 L Street, NE, Washington, D.C. 20554, and must include the NAL/Acct. No. referenced in the caption. The written statement shall also be e-mailed to Jeffrey J. Gee at Jeffrey.Gee@fcc.gov and to Victoria Randazzo at Victoria.Randazzo@fcc.gov.

22. The Commission will not consider reducing or canceling a forfeiture in response to a claim of inability to pay unless the petitioner submits: (1) federal tax returns for the past three years; (2) financial statements for the past three years prepared according to generally accepted accounting practices; or (3) some other reliable and objective documentation that accurately reflects the petitioner’s current financial status.⁶⁰ Any claim of inability to pay must specifically identify the basis for the claim by reference to the financial documentation submitted. Inability to pay, however, is only one of several factors that the Commission will consider in determining the appropriate forfeiture, and we have discretion to not reduce or cancel the forfeiture if other prongs of 47 U.S.C. § 503(b)(2)(E) support that result.⁶¹

⁵⁸ See 47 CFR § 1.1914.

⁵⁹ 47 CFR §§ 1.16, 1.80(g)(3).

⁶⁰ 47 U.S.C. § 503(b)(2)(E).

⁶¹ See, e.g., *Ocean Adrian Hinson, Surry County, North Carolina*, Forfeiture Order, 34 FCC Rcd 7619, 7621, para. 9 & n.21 (2019); *Vearl Pennington and Michael Williamson*, Forfeiture Order, 34 FCC Rcd 770, paras. 18–21 (2019); *Fabrice Polynice, Harold Sido and Veronise Sido, North Miami, Florida*, Forfeiture Order, 33 FCC Rcd 6852,

23. **IT IS FURTHER ORDERED** that a copy of this Notice of Apparent Liability for Forfeiture shall be sent by first class mail and certified mail, return receipt requested to: Alliance Global Networks, LLC, c/o Jess DiPasquale, 1221 Post Road East, Westport, CT, 06880 and Lance J.M. Steinhart, P.C. Attorneys At Law, Counsel for Alliance Global Networks, LLC, 1725 Winward Concourse, Suite 150, Alpharetta, Georgia 30005.

FEDERAL COMMUNICATIONS COMMISSION

Loyaan A. Egal
Acting Chief
Enforcement Bureau

6860–62, paras. 21–25 (2018); *Adrian Abramovich, Marketing Strategy Leaders, Inc., and Marketing Leaders, Inc.*, Forfeiture Order, 33 FCC Rcd 4663, 4678-79, paras. 44-45 (2018); *Purple Communications, Inc.*, Forfeiture Order, 30 FCC Rcd 14892, 14903-904, paras. 32-33 (2015); *TV Max, Inc., et al.*, Forfeiture Order, 29 FCC Rcd 8648, 8661, para. 25 (2014).